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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,440	08/08/2001	Hideki Matsunaga	110331	9076

25944 7590 10/13/2006

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EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/923,440

Applicant(s)

MATSUNAGA, HIDEKI

Examiner

Anh Ly

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>10/02/2006</u> . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. This Office Action is response to Applicant's AMENDMENT filed on 08/03/2006.
2. Claims 1-18 are pending in this application.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is not clear that what the "retrieval condition", "attribute of the object" and "identifier for identifying the object" in the claims are. Applicant is advised to amend the claim to clarify these terms for their intended use. Applicant is reminded that no new matter should be added.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1 and 10 are rejected under 35 U.S.C. 101 because Claims 1 and 10 are lacking of useful tangible result. It is not a "real world" result. The real world result is not the steps or process or structure used to produce the result. The claim languages are missing the steps for manipulating or how to handle the matched object (for example,

after defining, setting and performing access right and access control, the desired or retrievable or accessible or stored document(s) is/are being displayed or presented to the user(s). It is a tangible result).

Priority

5. Should applicant desire to obtain the benefit of foreign priority under 35 U.S.C. 119(a)-(d) prior to declaration of an interference, **a translation of the foreign application should be submitted** under 37 CFR 1.55 in reply to this action.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No.: US 2002/0120858 A1 of PORTER et al. (hereinafter Porter) in view of Pub. No.: US 2004/0199765 A1 of Kohane et al. (hereinafter Kohane).

With respect to claim 1, Porter teaches an object management method for performing access control for a stored object (a method and apparatus for stored searchable/retrievable documents in the database and performing access control on the security information of the stored documents with permission rights to access the stored document: fig. 1, section 0006), the method comprising the steps of:

defining a retrieval condition for retrieving an object, the retrieval condition being defined based on at least one attribute of the object (when a user to search the stored document, user may select a certain document type to search based on the attribute of stored document or search criteria such as author, title, type of document, date created size etc: sections 0057, 0059, 0079 and 0081 and fig. 10);

setting an access right in association with the retrieval condition (access control to the stored document based on the users' access right (permission rights to access stored document) for a particular document's attribute (sections 0006-0007 and 0061; also see fig. 7 and section 0075; the attributes of the document including its title, author, and the date saved: sections 0005, 0034 and 0057); and

setting an identifier for identifying the object (document identifier for identifying the document: section 0082).

Porter teaches setting access right or permission rights to access the document based on the attribute of document such as the attributes of the document including its title, author, and the date saved; defining identifier for identifying the document and performing access control for the document based on the level of access to the stored document. Porter does not clearly teach performing access control, in response to a request, for the object matching retrieval condition and identifier on the basis of the access right.

However, Kohane teaches performing access control to the object matching the search criteria and the access right over the Internet network (sections 0075-0076).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Porter with the teachings of Kohane. One having ordinary skill in the art would have found it motivated to utilize the use of controlling access to data object on the Internet, thereby, helping the object owner having authorized to access his/her own the object over the Internet (Kohane's sections 0002-0004 and 0053-0059).

With respect to claims 2-3, Porter teaches a method for performing access control for a stored object as discussed in claim 1.

Porter teaches setting access right or permission rights to access the document based on the attribute of document such as the attributes of the document including its title, author, and the date saved; defining identifier for identifying the document and performing access control for the document based on the level of access to the stored document. Porter does not clearly teach performing access control, in response to a request, for the object matching retrieval condition and identifier on the basis of the access right.

However, Kohane teaches performing access control to the object matching the search criteria and the access right over the Internet network (sections 0075-0076).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Porter with the teachings of Kohane. One having ordinary skill in the art would have found it motivated to utilize the use of controlling access to data object on the Internet, thereby, helping the object

owner having authorized to access his/her own the object over the Internet (Kohane's sections 0002-0004 and 0053-0059).

With respect to claim 4, Porter teaches the identifier is changed according to need when addition, modification, or deletion of the object identified by the identifier is made (fig. 6, sections 0044, 0047 and 0059).

With respect to claims 5-6, Porter teaches a method for performing access control for a stored object as discussed in claim 1.

Porter teaches setting access right or permission rights to access the document based on the attribute of document such as the attributes of the document including its title, author, and the date saved; defining identifier for identifying the document and performing access control for the document based on the level of access to the stored document. Porter does not clearly teach performing access control, in response to a request, for the object matching retrieval condition and identifier on the basis of the access right.

However, Kohane teaches performing access control to the object matching the search criteria and the access right over the Internet network (sections 0075-0076).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Porter with the teachings of Kohane. One having ordinary skill in the art would have found it motivated to utilize the use of controlling access to data object on the Internet, thereby, helping the object owner having authorized to access his/her own the object over the Internet (Kohane's sections 0002-0004 and 0053-0059).

With respect to claim 7, Porter teaches wherein the object is stored with attribute data, and the retrieval condition aims to retrieve the object on the basis of the attribute data (sections 0057, 0066 and 0079).

With respect to claim 8, Porter teaches wherein the object is stored with attribute data and a method for referring to an entity of the object, and the retrieval condition aims to retrieve the object on the basis of the attribute data and the entity of the object referred to by the method (sections 0057, 0066, 0079 and 0081).

With respect to claim 9, Porter teaches wherein the access right is a specification about a user and an access type allowed to access the object (fig. 1, sections 0006, 0009, 0061 and 0075).

Claim 10 is essentially the same as claim 1 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 1 hereinabove.

Claim 11 is essentially the same as claim 2 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 2 hereinabove.

Claim 12 is essentially the same as claim 3 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 3 hereinabove.

Claim 13 is essentially the same as claim 4 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 4 hereinabove.

Claim 14 is essentially the same as claim 5 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 5 hereinabove.

Claim 15 is essentially the same as claim 6 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 6 hereinabove.

Claim 16 is essentially the same as claim 7 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 7 hereinabove.

Claim 17 is essentially the same as claim 8 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 8 hereinabove.

Claim 18 is essentially the same as claim 9 except that it is directed to a system rather than a method, and is rejected for the same reason as applied to the claim 9 hereinabove.

Conclusion


8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (**Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to (571) 273-4039 (Examiner's personal Fax No.)**). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or **Primary Examiner: Jean Corrielus (571) 272-4032**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
OCT. 2nd, 2006


JEAN M. CORRIELUS
PRIMARY EXAMINER